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May 5, 2020

**BY ECF**

Honorable Barbara Moses  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: ***Morgan Art Foundation Ltd. v. McKenzie, et al., 18-cv-04438-AT***

Dear Judge Moses:

This firm represents Defendants/Counterclaim-Plaintiffs Michael McKenzie and American Image Art (collectively “**AIA**”) in the above-referenced matter, and write concerning the letters filed by James Brannan, as Personal Representative of the Estate of Robert Indiana (“Estate”), and Morgan Art Foundation Ltd. (“Morgan”) on May 4, 2020. In accordance with your Honor’s April 24, 2020 order, AIA filed its Proposed Fourth Amended Answer, Counterclaims, and Cross-claims together with a redlined comparison showing the changes from the operative pleading. Both the Estate and Morgan filed letters in opposition to AIA’s request to file its Fourth Amended Answer on May 4, 2020.

AIA respectfully requests an opportunity to respond to these letters by Thursday, May 7, 2020. The letter-oppositions contain factual and legal arguments that require AIA’s response so that this Court may have a complete picture of the sheer necessity of AIA’s filing of its Fourth Amended Pleading to preserve and protect its rights in this complex action. We suggest a five-page limit on this reply.

Respectfully submitted,  
GOETZ FITZPATRICK LLP

By: /s/ John B. Simoni, Jr.  
John B. Simoni, Jr.

*CC All Counsel (via ECF)*